

Message Text

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64

ACTION EB-11

INFO OCT-01 ARA-11 ADP-00 L-03 H-02 CIAE-00 INR-10 NSAE-00

RSC-01 COME-00 SCEM-02 INT-08 OMB-01 TRSE-00 RSR-01

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R 060006 Z JUL 73

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 6802

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E. O. 11652: N/ A

TAGS: EPET, ACLM

SUBJ: PAPANTLA ROYALTIES ALLEGEDLY HAS ATTACHED PEMEX
PAYMENTS FROM MOBIL OIL CO. IN DELAWARE

REF: MEXICO 3444

1. EMB OFF WAS INFORMED JULY 5 BY ROSCOW GAITHER, LOCAL ATTORNEY FOR PAPANTLA ROYALTIES, THAT PAYMENTS FOR PEMEX OIL ALREADY DELIVERED TO MOBIL OIL CO. IN DELAWARE HAVE JUST BEEN ATTACHED BY COURT ORDER. ACCORDING TO GAITHER, PEMEX IS OWED APPROXIMATELY ONE MILLION DOLLARS BY MOBIL. HE ADDED THAT SCHEDULED PAYMENTS WILL NO GO INTO A SPECIAL ACCOUNT PENDING OUTCOME PAPANTLA CLAIMS CASE AGAINST PEMEX REPORTED REFTEL.

2. MEANWHILE, GAITHER REPORTS, PEMEX HAS FILED AN ANSWER BEFORE DELAWARE COURT RAISING PLEA THAT COURT HAS NO JURISDCITION, AND CLAIMING THAT CASE ALREADY JUDICIALLY SETTLED IN MEXICO. GAITHER APPEARS CONVINCED THAT PEMEX FACES ADVERSE RULINGS ON BOTH THESE POINTS, AND THAT, AFTER SUCH RULINGS, WILL BE MORE THAN READY TO ENTER INTO REALISTIC ATTEMPT TO SETTLE OUTSTANDING CLAIMS, WHICH DATE BACK TO 1938.

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3. IN EVENT PEMEX APPEARS UNWILLING TO REACH SETTLEMENT ACCEPTABLE TO PAPANTLA PRINCIPALS, GAITHER SUGGESTED POSSIBILITY THAT PAPANTLA MIGHT SELL RIGHTS TO LITIGATION TO MAJOR U. S. OIL COMPANY WHICH HAS FINANCIAL RESOURCES TO CARRY SUIT ON THROUGH U. S. COURTS FOR EXTENDED LENGTH OF TIME.

4. LOCAL HEAD MOBIL OIL CO. (DONALD SPIELMANN) IS OUT OF TOWN, SO EMBASSY UNABLE TO QUERY HIM RE PAYMENTS ATTACHMENT REPORTED PARA 1 ABOVE.

5. COMMENT: IF REPORT OF ATTACHMENT IS CORRECT, THEN DEPARTMENT OR EMBASSY MAY WELL BE HEARING SOON FROM GOM, AS PEMEX IS PARASTATAL AGENCY OPERATING UNDER SECRETARIAT OF NATIONAL PATRIMONY.
MCBRIDE

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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